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6 UNITED STATES DISTRICT COURT  
7 EASTERN DISTRICT OF CALIFORNIA  
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9 ANTONIO SULLIVAN,

CV F 02-6454 REC SMS HC

10 Petitioner,

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS

11 v.

[Doc. 30]

12 MIKE YARBOROUGH,

13 Respondents.  
14 \_\_\_\_\_ /

15  
16 Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus  
pursuant to 28 U.S.C. § 2254.

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18 On May 27, 2005, the Magistrate Judge assigned to this action issued Findings and  
19 Recommendations recommending that the instant petition for writ of habeas corpus be denied.  
20 The Findings and Recommendations were served on both parties and any objections were to be  
21 filed within thirty days from the date of service. On June 20, 2005, the Findings and  
22 Recommendations addressed to Petitioner were returned to this Court with a notation that  
23 Petitioner was “not at th[at] address.” (Court Doc. 31.) Thereafter, on July 14, 2005, the  
undersigned adopted the Findings and Recommendations in full. (Court Doc. 32.)

24  
25 On August 10, 2005, Petitioner filed a motion for reconsideration indicating that he never  
26 received the Findings and Recommendations despite the fact that he mailed a notice of change of  
27 address to the Court on February 28, 2005. On August 22, 2005, the undersigned granted  
28 Petitioner’s motion for reconsideration, vacated the July 14, 2005, order adopting, and directed

1 that the Court re-serve the Findings and Recommendations of May 27, 2005. On September 12,  
2 2005, Petitioner filed objections to the Findings and Recommendations.

3 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this Court has conducted  
4 a *de novo* review of the case. Having carefully reviewed the entire file, including Petitioner's  
5 objections, the Court concludes that the Magistrate Judge's Findings and Recommendation is  
6 supported by the record and proper analysis. Petitioner's objections present no grounds for  
7 questioning the Magistrate Judge's analysis.

8 Accordingly, IT IS HEREBY ORDERED that:

- 9 1. The Findings and Recommendation issued May 27, 2005, is ADOPTED IN  
10 FULL;  
11 2. The Petition for Writ of Habeas Corpus is DENIED; and  
12 3. The Clerk of the Court is DIRECTED to enter judgment in favor of Respondent.

13 IT IS SO ORDERED.

14 Dated: November 15, 2005  
668554

/s/ Robert E. Coyle  
UNITED STATES DISTRICT JUDGE